

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Robert J. Kress, et al.,
Plaintiffs

v.

Case No. C-1-02-433

Broadwing, Inc.,
Defendant

ORDER

The Court having been advised by the parties that the within action has been settled;

It is **ORDERED** that this action is hereby **DISMISSED** with prejudice, provided that any of the parties may, upon good cause shown within sixty (60) days, reopen the action if settlement is not consummated. The parties may substitute a more particularized Order of Dismissal within this same time frame, should they so desire. The Court retains jurisdiction over the settlement contract for the purpose of its enforcement.

Date: September 22, 2003

s/Sandra S. Beckwith
Sandra S. Beckwith
United States District Judge